

April 21, 2009

TO: Lisa Anderson

FROM: Holly Platz, SPHR
Director's Review Investigator

SUBJECT: Lisa Anderson v. Whatcom Community College (College)
Allocation Review No. ALLO-08-043

The Director's review of Whatcom Community College's allocation determination of your position has been completed. The review was based on written documentation. This review covers the six month period prior to May 2, 2008, the date that the College's Human Resources office received your request for review.

Director's Determination

As the Director's designee, I carefully reviewed all of the documentation in the file including the duties and responsibilities described in your Position Description form and Position Review Request form. I considered the Program Coordinator, Program Manager A, Program Manager B and Program Specialist 4 classifications. In addition, I considered the Program Specialist 3 and Program Support Supervisor 1 classifications. Based on my review of the documents, the available classifications, and my analysis of your assigned duties and responsibilities, I conclude that overall, your position is best described by the Program Coordinator classification.

Background

Prior to your request for review, the College asked the Department of Personnel to review the Position Description for your position. By email dated April 25, 2008, the Department of Personnel recommended that a reallocation of your position to the Program Specialist 4 classification be denied. It does not appear that your Position Review Request form was reviewed by the Department of Personnel in regard to this recommendation.

On May 2, 2008, the College received your Position Review Request form asking that your position be reallocated to the Program Specialist 4 classification. You signed the form on April 30, 2008. Your supervisor completed the supervisor's portion of the form on May 2, 2008. Your supervisor disagreed that your Position Review Request form was accurate and did not support the reallocation of your position.

After receiving your Position Review Request form, the College reviewed your request and by letter dated June 27, 2008, determined that your position was properly allocated to the Program Coordinator classification.

On July 21, 2008, you filed a request for a Director's review of your position. In your Director's review request, you asked that your position be reallocated to the Program Specialist 3, the Program Specialist 4 or a Program Manager classification.

Summary of Ms. Anderson's Perspective

You argue that you supervise four part-time hourly employees and two work study students. You assert that prior to determining staff are competent to become GED examiners, you provide them training, evaluation and correction. In addition, although you acknowledge that your staff does not accrue leave, you manage staffs' availability to work and make adjustments to the schedule as needed for the testing center. You also assert that you meet with staff to address performance issues and to let them know what is going well. You acknowledge that this is not an "official" evaluation as used for permanent staff, but assert that the evaluations are formal for the testing center. You contend that you have terminated part-time employees and that in the last termination, you dealt with grievances throughout the process.

You argue that you manage the testing center and you believe that the level of independence you exercise goes beyond the Program Coordinator position. You also argue that the policies and procedures for GED testing and your responsibilities for transcript support are complex and include confidentiality issues which go beyond the Program Coordinator classification.

You contend that your position is comparable to positions providing very similar services at other institutions. You provided job postings for four positions at other institutions and argue that these positions, which do not have statewide impact, are allocated to Program Specialist and Program Manager classifications. You assert that your position is performing duties and responsibilities of a similar nature.

You contend that as the Chief Examiner for the GED program, you are responsible for the operation and administration of the program at the College, are considered the recognized authority for the program, direct all program activities and perform the supervisory functions for the testing center staff. You argue that your position should be reallocated to the Program Specialist 3, Program Specialist 4 or Program Manager classification.

Summary of the College's reasoning

The College recognizes that some of your duties may be compatible with other classifications but argues that the level of independent work required by your position is best described by the Program Coordinator classification. The College argues that

- you work under general direction
- you are not independently responsible for planning, designing, or directing program objectives, goals, or policies
- you do not have program-wide or organization-wide responsibility to develop program goals, objectives, timetables, or budgets
- you do not have full supervisory responsibility for testing center staff

The College acknowledges that you have a wealth of knowledge and experience specific to testing services. The College also acknowledges that you participate in the hiring and

termination process for staff, assign, instruct and check the work of staff, make corrections by offering further instructions as needed, and sign timesheets for staff.

The College further acknowledges that your position has taken on responsibility for two new online assessment/placement testing systems which will be replacing the paper-based system. The process has been difficult and has required learning about the system and communicating with system representatives and others who use the system to troubleshoot difficulties. However, the College asserts that you were not responsible for developing the system. Rather you are responsible for monitoring the number of testing units and purchasing additional units when necessary, "releasing" units for group sessions, entering or correcting data in the system's database, troubleshooting system problems, and working with system representatives to resolve problems.

You supervisor explains that she has management authority for the college-wide testing services programs, including the Testing Center. She contends that she is responsible for managing the testing services programs, including budgetary authority, and for establishing the direction, policies and procedures of the programs. Your supervisor explains that you monitor the budgets and approve expenditures for the Testing Center, but that you do not have sole budgetary authority or participation in the budget planning process.

The College asserts that your position coordinates services within the Testing Center, organizes Center operations, provides direct services to Center patrons and serves as the GED Chief Examiner. The College believes that your position best fits the Program Coordinator classification.

Rationale for Determination

The purpose of a position review is to determine which classification best describes the overall duties and responsibilities of a position. A position review is neither a measurement of the volume of work performed, nor an evaluation of the expertise with which that work is performed. A position review is a comparison of the duties and responsibilities of a particular position to the available classification specifications. This review results in a determination of the class that best describes the overall duties and responsibilities of the position. See Liddle-Stamper v. Washington State University, PAB Case No. 3722-A2 (1994).

In support of your request for reallocation, you provided position announcements from other institutions. I reviewed these announcements and it appears that the breadth of responsibility of these positions is greater than that of your position. In addition, while a comparison of one position to another similar position may be useful in gaining a better understanding of the duties performed by and the level of responsibility assigned to an incumbent, allocation of a position must be based on the overall duties and responsibilities assigned to an individual position compared to the existing classifications. The allocation or misallocation of a similar position is not a determining factor in the appropriate allocation of a position. Flahaut v. Dept's of Personnel and Labor and Industries, PAB No. ALLO 96-0009 (1996).

Your position is responsible for the Testing Center. As explained by your supervisor, the Testing Center falls under the college-wide testing services program which includes:

- Assessment/placement testing
- Faculty testing
- GED testing
- Community testing.

Your supervisor establishes direction, policies and procedures and manages the testing services program. The Testing Center is a major service branch of the testing services program. Your position monitors the Testing Center budget and approves expenditures, but your supervisor maintains budgetary authority and is ultimately responsible for all testing services program budgets.

In condensed summary, your duties and responsibilities include:

- 40% Chief Examiner for GED testing. This includes signing contracts, oversight of the GED examiners, release of transcripts, public record requests, compliance with policies and procedures, updating records and assisting students as needed, and proctoring GED sessions.
- 20% General duties in support of Testing Center operations. This includes recordkeeping, printing, processing mail, responding to phone messages, making files, receiving and implementing tests, following up with instructors when necessary, and administering tests.
- 20% Oversight responsibilities for Testing Center and staff. This includes scheduling staff to meet service needs, coordinating staff availability and making necessary shift changes, signing timesheets, purchasing, processing payment requests, tracking payments, waivers and billing logs, coordinating service requests for custodial, maintenance and IT assistance.
- 15% Assessment testing and faculty testing. This includes inputting and maintaining data in testing systems, setting up testing sessions, and coordinating the administration of tests. This also includes communicating with faculty on a quarterly basis about testing referrals, documenting testing situations as appropriate, and responding to questions about testing services.
- 5% Data input, updating and analysis, producing reports and predicting future needs

In Norton-Nader v. Western Washington University, PRB Case No. R-ALLO-08-020 (2008), the Personnel Resources Board (Board) stated that the following standards are the hierarchy of primary considerations in allocating positions:

- a) Category concept (if one exists).
- b) Definition or basic function of the class.
- c) Distinguishing characteristics of a class.
- d) Class series concept, definition/basic function, and distinguishing characteristics of other classes in the series in question.

In addition, the Department of Personnel Glossary of terms for Classification, Compensation, & Management provides that the language in the class specifications has priority when explaining or defining the language in the glossary. In this case, the Class

Series Concept for the Program Specialist classes has priority over the program definition in the glossary. The Class Series Concept for the Program Specialist classes states:

Positions in this series coordinate discrete, specialized programs consisting of specific components and tasks that are unique to a particular subject and are separate and distinguished from the main body of an organization. Positions coordinate program services and resources; act as a program liaison and provide consultation to program participants and outside entities regarding functions of the program; interpret, review and apply program specific policies, procedures and regulations; assess program needs; and develop courses of action to carry out program activities. Program coordination also requires performance of tasks and application of knowledge unique to the program and not transferable or applicable to other areas of the organization.

Examples of program areas may include, but are not limited to: business enterprises, fund raising, volunteer services, community resources, election administration and certification, juvenile delinquency prevention, recreational education and safety, energy education, aeronautic operations and safety, student housing, financial aid, and registration.

The intent of the Program Specialist series is further clarified by considering the specialist definition. This is found in the Department of Personnel Glossary of terms for Classification, Compensation, & Management. The glossary provides that the duties of specialists “. . . involve intensive application of knowledge and skills in a specific segment of an occupational area.”

Your position is responsible for coordinating the activities of the Testing Center, a branch of the college-wide testing services program. As such, your position is not separate and distinguished from the main body of the organization and you do not coordinate program services and resources for the testing services program as a whole. Rather, your position is a component of the college-wide testing services program. Your position does not fit within the Class Series Concept of the Program Specialist classifications.

Additionally, your position does not meet the definition of a specialist. Your duties and responsibilities do not require intensive application of knowledge and skills in a specific segment of an occupational area. Rather you provide and apply your knowledge and skills to the Testing Center component of the college-wide testing services program.

For the reasons discussed above, your position does not fit within the Program Specialist class series.

The Program Manager A and B classifications share a common definition. The definition states: “[s]upervises a division of a major administrative department, operating unit or program undertaking relieving the senior official of operating and administrative detail. Plans, coordinates and implements all functions required by the activity.”

In addition, positions allocated to the Program Manager B level are typically second- or third-level supervisors. Because you do not supervise other supervisors, your position does not rise to the “B” level.

The Department of Personnel Glossary of terms provides further guidance on the level and scope of work performed by Program Managers. The glossary states that the duties of a Program Manager involve exercising authority over:

- Development of program goals and objectives
- Development of timetables and work plans to achieve program goals and objectives
- Development of program policies and procedures
- Preparation of program budgets, adjustments of allotments and authorizing expenditures
- Controlling allocation of program resources
- Setting and adjusting program priorities
- Evaluating program effectiveness

In McLean v Spokane Community College, PRB Case No R-ALLO-07-022, the appellant was a Program Coordinator and she requested reallocation to a Program Manager position. The Board determined that the appellant's position did not fit Program Manager classification because she did not have total responsibility for a program. Rather she was responsible for a portion of the program. Here, you do not have total responsibility for the testing services program. Rather you have responsibility for the Testing Center portion of the program.

Your position relieves your supervisor of the day-to-day to operating details of the Testing Center and you plan and coordinate the day-to-day functions of the Testing Center. However, when read in conjunction with the Program Manager definition, your day-to-day oversight and coordination of the Testing Center does not rise to the program management level. Rather, your supervisor provides overall program direction and management including responsibility for program policies and procedures and ultimate responsibility for all testing services program budgets. Your position does not fit within the Program Manager classifications.

The definition of the Program Support Supervisor 1 classification states: "[s]upervise support staff involved in the performance of duties associated with a highly specialized or technical program(s). Coordinate the operation of a specialized or technical program(s). Act as liaison between the program and outside organizations."

Your position coordinates the operation of the Testing Center and you act as a liaison between the Testing Center and outside organizations. However, you do not supervise staff as anticipated by the Department of Personnel supervisor definition. A supervisor is defined as:

An employee who is assigned responsibility by management to participate in all of the following functions with respect to their subordinate employees:

- Selecting staff
- Training and development
- Planning and assignment of work
- Evaluating performance
- Resolving grievances

- Taking corrective action

Participation in these functions is not routine and requires the exercise of individual judgment.

In Dawson v South Puget Sound Community College, PRB No. R-ALLO-08-001, the Personnel Resources Board (PRB) provided further guidance on supervisory responsibilities. The PRB determined that providing on-the-job work instruction is not the level of training and development expected of a supervisor. The PRB also indicated that supervisory responsibilities would include short-range or long-range planning, conducting formal performance evaluations, adjusting formal grievances, and providing progressive corrective action as a regular part of the job.

In support of your argument for reallocation to a supervisory classification, you provided timesheets and non-permanent employee authorizations where you signed as the supervisor. These examples show that you oversee the coordination and scheduling of staff for the Testing Center. Although you may select or recommend staff to work in the Testing Center, your ongoing oversight of those positions, coordination of work schedules and coordination of work performed by staff does not meet the intent of the supervisory requirement to provide staff training and development or the requirement to performing short-range or long-range planning in relation to work assignments. Additionally, you do not have responsibility for conducting formal performance evaluations, adjusting formal grievances or taking formal corrective actions as required for allocation to a supervisory classification. Furthermore, your supervisor argues that you do not supervise staff in the Testing Center as intended by the DOP definition and terminology because the staff are all non-permanent part-time hourly employees or work study employees who do not have extensive training or professional development, official performance evaluations or official grievance processes. In addition they do not accrue leave and therefore, you cannot approve leave; however you do make adjustments in staff scheduling based on employee availability.

Based on my review of the totality of the documentation in this case including your supervisor's explanation, and past decisions of the Board, I find that you do not perform the full scope and level of supervisory activities required for allocation to a supervisory classification. Your position does not fit within the Program Support Supervisor 1 classification.

The class series concept for the Program Coordinator classification provides that positions that coordinate programs:

Perform work requiring knowledge and experience that is specific to a program. Organize and perform work related to program operations independent of the daily administrative office needs of the supervisor. Represent the program to clients, participants and/or members of the public.

A program is a specialized area with specific complex components and discrete tasks which distinguish it from the main body of an organization. A program is specific to a particular subject. The specialized tasks involve interpretation of policies, procedures and regulations, budget coordination/administration, independent functioning and typically, public

contact. Duties are not of a general support nature transferable from one program to another. Performance of clerical duties is in support of incumbent's performance of specialized tasks.

In addition, the Department of Personnel Glossary of terms for Classification, Compensation, & Management provides that coordinators "[i]ndependently organize, monitor, evaluate, and make adjustments for a program or activity without supervisory responsibility."

The basic function of the Program Coordinator classification states: "[c]oordinate the operation of a specialized or technical program."

Your position fits within the Class Series Concept and the basic function of the Program Coordinator classification. In addition, the duties and responsibilities assigned to your position are encompassed by the coordinator definition.

The distinguishing characteristics for the Program Coordinator classification state:

Under general direction, perform work using knowledge and experience specific to the program. Exercise independent judgment in interpreting and applying rules and regulations. Independently advise students, staff, program participants and/or the public regarding program content, policies, procedures and activities; select/ recommend alternative courses of action and either:

(1) project, monitor, maintain, initiate and/or approve expenditures on program budgets

OR

(2) have extensive involvement with students, staff, the public and/or agencies in carrying out program activities, and coordinate, schedule and monitor program activities to determine consistency with program goals.

The Department of Personnel Glossary of classification terms defines working under general direction as:

Performs assignments within established policies and objectives. Incumbents plan and organize the work, determine the work methods, and assist in determining priorities and deadlines. Completed work is reviewed for effectiveness in producing expected results.

You work under general direction. In addition, you use knowledge specific to the Testing Center component of the college-wide testing services program. You utilize independent judgment, monitor the Testing Center budget and approve expenditures, and have extensive involvement with students and others in carrying out program activities.

While some of your duties may be found in higher level classifications, most positions within the civil service system occasionally perform duties that appear in more than one classification. However, when determining the appropriate classification for a specific position, the duties and responsibilities of that position must be considered in their entirety and the position must be allocated to the classification that provides the best fit overall for

the majority of the position's duties and responsibilities. Dudley v. Dept. of Labor and Industries, PRB Case No. R-ALLO-07-007 (2007).

The duties and responsibilities assigned to your position are best described by the Program Coordinator classification.

Appeal Rights

RCW 41.06.170 governs the right to appeal. RCW 41.06.170(4) provides, in relevant part, the following:

An employee incumbent in a position at the time of its allocation or reallocation, or the agency utilizing the position, may appeal the allocation or reallocation to . . . the Washington personnel resources board Notice of such appeal must be filed in writing within thirty days of the action from which appeal is taken.

The address for the Personnel Resources Board is 2828 Capitol Blvd., P.O. Box 40911, Olympia, Washington, 98504-0911.

If no further action is taken, the Director's determination becomes final.

cc: Becky Rawlings, WCC
Classification & Pay Team, DOP

Exhibit List

A. Lisa Anderson exhibits

1. Director's Review Form July 21, 2008
2. Letter from Ms. Anderson supporting her request for a Director's Review.
3. WCC allocation determination, June 27, 2008.
4. Position Review Request, date stamped (HR) May 2008 including supervisor review #9.
5. WCC position announcement for Program Coordinator

B. Whatcom Community College exhibits September 19 2008

1. WCC Allocation determination letter June 27, 2008:
2. Position Review Request, date stamped (HR) May 2008 including supervisor review #9.
3. Administrative Organizational Chart
4. Position Description Form (no date or signature) (position #2256)
5. Email dated April 25, 08 from Rick Shea to Becky Rawlings regarding PDF for Lisa Anderson
6. Class Specification for Administrative Assistant 3, class code 105G
7. Class Specification for Program Coordinator, class code 107N
8. Class Specification for Program Specialist 4, class code 107K

C. Lisa Anderson Exhibits April 2, 2009; letter dated March 31, 2009 submitting additional (4) exhibits:

1. WCC Administrative organizational chart & Academic organizational chart 2005-2006
2. Examples of part time staff's employment paperwork.
3. GED Annual Contract
4. Four job postings that require very similar duties that I provide at WCC.

D. Additional Classifications

1. Program Manager A, class code 107R
2. Program Manager B, class code 107S
3. Program Specialist 3, class code 107J
4. Program Support Supervisor 1, class code 107P